THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 2141 of 2005

08-11-2005

Between:

L.Jaswanth Reddy

.....APPELLANT

AND

The District Panchayat Officer, Mahabubnagar District & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 2141 of 2005

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

The case of the writ petitioner before the authorities below was that respondent No.4 was making construction in a plot of land, which was an open land under layout. The authorities below came to the conclusion that respondent No.4 was in possession of a sale deed, dated 27.03.2003 and he had also obtained permission for construction of the building. Therefore, the authorities below i.e. the District Panchayat Officer, before whom a complaint was made, disposed of the matter, leaving it open for the parties to approach the Civil Court.

The case of the appellant is that the land, on which respondent No.4 is making the construction, does not belong to him. The District Panchayat Officer and also the learned Single Judge found that there was a sale deed registered in favour of respondent No.4 and he had also obtained permission for construction of a building. *Prima facie*, respondent No.4 appears to be the owner and possessor of the land. However, if the appellant still feel that respondent No.4 is not the owner of the land, or the sale deed dated 27.03.2003 is not genuine, it is open for him to approach the Civil Court.

Writ Appeal is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

08th November 2005.

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(R.SUBHASH REDDY, J)

ajr